

1  
2  
3  
4  
5  
6  
7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 IGNACIO TORRES,

14 Defendant.

CASE NO. CR09-016-JCC

PROPOSED FINDINGS OF FACT  
AND DETERMINATION AS TO  
ALLEGED VIOLATION OF  
SUPERVISED RELEASE

15 INTRODUCTION

16 I conducted a hearing on an alleged violation of supervised release in this case on October 2,  
17 2012. The United States was represented by Matt Diggs, and defendant was represented by Jennifer  
18 Horwitz. The proceedings were recorded on cassette tape.

19  
20 CONVICTION AND SENTENCE

21 Defendant had been sentenced on or about July 10, 2009, on charges of distribution of  
22 cocaine. The Hon. John C. Coughenour of this court sentenced defendant to 15 months in custody,  
23 followed by three years of supervised release.

ALLEGED VIOLATION AND  
DEFENDANT'S ADMISSION

In an application on September 18, 2012, USPO Jerrod Akins alleged that defendant violated the conditions of supervised release by failing to report a change in his residence. Defendant had vacated his residence, left no forwarding information, and his cell phone would not accept calls. He had therefore basically broken off contact with the Probation Office. At the hearing on October 2, 2012, defendant admitted this violation, waived any hearing as to whether it had occurred, and consented to having the matter set for a disposition hearing before Judge Coughenour.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that defendant has violated the conditions of his supervised release in the respect alleged, and conduct a disposition hearing. That hearing is presently set for October 19, 2012 at 9:00 a.m.

The court detained defendant pending disposition. He has not cooperated with the Probation Office. In addition, the officer discovered evidence which gives rise to concerns that defendant has resumed his ties with gang members. Defendant has therefore not met his burden of showing, by clear and convincing evidence, that if released he would make his court appearances and would not pose a danger to other persons and the community.

DATED this 2nd day of October, 2012.

s/ John L. Weinberg  
United States Magistrate Judge

cc:	Sentencing Judge	:	Hon. John C. Coughenour
	Assistant U.S. Attorney	:	Matt Diggs
	Defense Attorney	:	Jennifer Horwitz
	U. S. Probation Officer	:	Jerrod Akins